

1 SENATE BILL NO. 197

2 INTRODUCED BY PERRY, BLACK, BOOKOUT-REINICKE, BUTCHER, CURTISS, DEPRATU, KEANE,
3 LINDEEN, MCGEE, MENDENHALL, A. OLSON, ROUSH, SALES, SMITH, WHEAT, YOUNKIN

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5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A MAYOR MAY NOT REJECT OR REFUSE
6 TO APPOINT TO THE CITY PLANNING BOARD A COUNTY REPRESENTATIVE WHO HAS BEEN
7 DESIGNATED BY A BOARD OF COUNTY COMMISSIONERS; AND AMENDING SECTION 76-1-223, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 76-1-223, MCA, is amended to read:

12 **"76-1-223. County representative for city planning board.** ~~As soon as~~ When a city council has
13 enacted an ordinance creating a city planning board or when a vacancy occurs in the county's membership on
14 the city planning board, the board of county commissioners of the county ~~wherein~~ in which the city is located
15 shall within 45 days designate a representative of the county to the mayor of the city for appointment to the city
16 planning board. This representative may be a member of the board of county commissioners or an officeholder
17 or employee of the county. ~~In the event of the failure of~~ The mayor may not reject or refuse to appoint to the city
18 planning board a representative designated by a board of county commissioners as provided in this section, but
19 if the county fails to so designate such member, a representative, then the mayor may appoint as a
20 representative of the county a person of his the mayor's own choosing and at his the mayor's sole discretion as
21 ~~a representative of the county.~~"

22 - END -